

HANNIBAL DAILY JOURNAL.

TERMS OF THE DAILY JOURNAL.
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WEDNESDAY EVENING, APRIL 6, 1853.
O. CLEMENS, EDITOR AND PUBLISHER.

FRAME HOUSES.—In noticing yesterday the repeal of the ordinance prohibiting the building of frame houses, we neglected to mention that a majority of the owners in any block can prevent the building of frame houses on that block by petitioning the City Council. We quote the following from "an ordinance for the prevention of Fires," approved May 29, 1852:

§ 1. Whenever the owners of a major part of the ground in any block in this city, shall, by petition to the Mayor, request that no wooden building shall thereafter be erected on said block, the Mayor shall grant an order in writing, prohibiting the erection thereafter, of any such building on such block, which order shall be delivered to said petitioners, and shall be by them published in one or more newspapers, published in this city, for two weeks.

§ 2. Any person, after the publication of such article, who shall build, or attempt to build or erect, any wooden building on such block, shall forfeit and pay to the city the sum of fifty dollars; and the city Marshal shall, upon notice, remove said building at the cost of the owner.

AN ORDINANCE To regulate the sale of intoxicating liquors within the city.
Be it ordained by the City Council of the City of Hannibal:

Sec. 1. No person shall directly or indirectly sell intoxicating liquors in this city, who has not been licensed as a Grocer or Dramshop Keeper under the provisions of the statute law of the State, and paid a license tax to the city.

Sec. 2. A Grocer or Dramshop Keeper is such as he is defined to be by the existing statute of the State.

Sec. 3. A Grocer, before he shall directly or indirectly sell or vend intoxicating liquors in this city, shall pay a License Tax to the city of Two Hundred and Fifty Dollars for every six months.

Sec. 4. A Dramshop Keeper, before he shall sell intoxicating liquors in this city, shall pay a License Tax to the city, of Five Hundred Dollars for every six months.

Sec. 5. The term Intoxicating Liquor, as used in this ordinance, shall be construed to mean Wine and Spirituous Liquors, and any composition of which Wine or Spirituous Liquors is a part.

Sec. 6. Whoever in this city, being a merchant, confectioner, beer-house keeper, dealer in provisions or any other species of merchandize, and occupying a place or stand for that purpose, shall at that place or stand deal out, distribute, or give away to another, intoxicating liquor, shall be deemed to have sold it as much as if compensation were directly paid for it; and upon conviction shall forfeit and pay for every such offence a fine of One Hundred Dollars.

Sec. 7. No person in this city shall directly or indirectly sell or deliver to another, any intoxicating liquor on the day of the week commonly called Sunday, except for medicinal purposes.

Sec. 8. No grocer or dramshop keeper shall sell intoxicating liquor in more than one place in the city at a time, nor shall the license of a grocer or dramshop keeper be assignable or transferable.

Sec. 9. This ordinance shall not be so construed as to prevent a druggist from selling wines and spirituous liquors for sacramental and medicinal purposes, in quantities not exceeding one quart, if directed to do so by the prescription of a practising physician.

Sec. 10. Whoever shall violate any provision of this ordinance shall upon conviction forfeit and pay a fine of one hundred dollars for the first offence, and one hundred and fifty dollars for each subsequent offence, to be collected by action of debt as other fines are collected.

Sec. 11. This ordinance shall take effect from and after its publication, but shall not be so construed as to affect the rights of any person who is licensed as a grocer or dramshop keeper at the time of its passage, during the unexpired term of such license.

Approved, April 6th, 1853.
T. R. SELMES, Mayor.

From the Messenger.

Court of Common Pleas.

Editors of the Messenger:

If THOS. McDANOLD, Esq., will consent to become a candidate for the office of Judge of the Court of Common Pleas, he will be supported by
MANY VOTERS.

See terms at the head of this column.

PROCEEDINGS OF THE CITY COUNCIL.

HANNIBAL, Monday, April 6th, 1853.
Present.—His Honor, T. R. Selmes; A. S. Roberts, A. J. Settles, R. Q. Ruffner, A. G. Gano, H. Martin, E. Westfall, F. Schneider, J. B. Dowling.
Absent.—T. Brice.

The following ordinance was passed:
An Ordinance to amend Ordinance (41), entitled "An ordinance in relation to Sundry Licenses."

Be it ordained by the City Council of the City of Hannibal, as follows:

Sec. 1. That the latter clause of the 4th subdivision of the 9th section of the ordinance aforesaid, be and the same is hereby so amended as to read: the sum of sixteen dollars and fifty cents.

Sec. 2. This ordinance shall take effect and be enforced from and after its publication.
Approved April 6th, 1853.

T. R. SELMES.

There was some debate on the draft of an ordinance in relation to marketing, which had been introduced at the last meeting by Mr. Settles and laid over.

Mr. Settles thought it would be a source of great convenience, if eggs and butter could be obtained at other places besides the market. Some seasons eggs are scarce, and people can't buy them, and hens won't lay them, though they may be laying in the stores and groceries. Boats passing along frequently want such articles, but cannot purchase them on account of this ordinance. He knew of no such regulations in other cities.

Mr. Roberts said it was not much trouble to come to the market house to buy provisions. If this ordinance should pass, perhaps while he came to the market house to buy meat somebody else would go to one of the stores and buy all the eggs. It would altogether be much more convenient to have all the marketing at one place. They don't have butter in good condition at the groceries; he would rather have it as it comes to the market house. A man sending from the suburbs would have his servant delayed running all over town to get a few eggs.

Mr. Dowling felt bound to vote against it. He objected to the repeal of the whole section. It would reduce the revenue, for the stalls now rent for \$16.70 per month, which is much more than they have been renting for. The ordinance as it stands worked very well last year, and the proposed amendment was not recommended by the fact that we might have to run all over town after every little thing wanted for the table.

The amendment was rejected, so the ordinance in relation to marketing remains unaltered.

Mr. Schneider presented the petitions, signed by three-fourths of the legal voters of the city, praying the City Council to grant no more licenses to dramshops. He stated that he had examined the names and found the petitions to be signed by a large majority of voters of the city, and he would therefore vote for any ordinance which would carry out the views of the petitioners. He would do so on the principle of obeying the instructions of his constituents. If there were any blame in the matter it would of right fall on the people who had instructed, and not on the councilmen who had discharged the duty of obeying instructions. Mr. Roberts, chairman of Committee on Ordinances had prepared drafts of three ordinances.

The following was then read for the consideration of the Council:

An ordinance to prohibit the sale of intoxicating liquors in the city:
Be it ordained by the city council of the city of Hannibal as follows:

Sec. 1. Whoever, in the city, shall, directly or indirectly, sell, or barter to another any intoxicating liquor, shall, upon conviction, forfeit and pay for every such offence, a fine of one hundred dollars, to be collected by action of debt before the recorder as other fines are collected.

Sec. 2. Whoever, in this city, being a merchant, confectioner, dealer in provisions or any other species of merchandize, and occupying a place or stand for that purpose, shall, at that place or stand, deal out, distribute or give away to another, intoxicating liquor, shall be deemed to have sold it as much as if compensation were directly paid for it, and upon conviction shall forfeit and pay for every such offence a fine of one hundred dollars.

Sec. 3. This ordinance shall not be so construed, as to prohibit regular Druggists from selling intoxicating liquor in any quantity over one quart for medicinal, sacramental and mechanical purposes.

Sec. 4. The term "intoxicating liquor" as used in the ordinance shall be construed to mean, wine or spirituous liquor and any composition of which wine or spirituous liquor is a part.

Sec. 5. This ordinance shall operate to repeal so much of any other ordinance as may come in conflict with its provisions.

Sec. 6. This ordinance shall take effect from and after its publication, but shall not be so construed as to affect the right of any person who is licensed as a grocer, or dramshop keeper at the time of its passage during the unexpired time of such license.

Mr. Roberts said he was prepared to carry out the views of the petitioners. Another ordinance had been prepared, more consistent, and that would more fully carry out the views of the thinking portion of those who had signed the petitions. He thought it possible to carry matters to an extreme. While opposed to the existence of dramshops, he was in favor of acting consistently with the state laws.

This ordinance being called for, Mayor Selmes read it, directing attention to the fact that it is to regulate, while the other is to prohibit the traffic in liquor, wholesale and retail.

The third draft of an ordinance was then read.

Mr. Martin moved that the ordinance first read, prohibiting the granting of any more licenses to sell intoxicating liquors in this city be now adopted.

Mr. Gano moved to take it up section by section.

The first section being read Mr. Martin moved its adoption.

Mr. Roberts said that he was one of the men who stand responsible for everything they do or say. He should vote against that section, though it was not necessary to give his reasons, as none had been advanced in its favor.

Mr. Dowling stated he should also vote against it. He could give reasons for this course, but did not deem it necessary, as the advocates of the section had said nothing for the affirmative.

Mr. Gano said that as others had expressed themselves, he felt in duty bound to express himself. For the sake of the morals and the general welfare of the community, he deemed it necessary to prohibit the sale of this poisonous drug. It is well known that we shall soon have a population thrown upon us, who, he was sorry to say, are prone to dissipation. He was in favor of prohibition, though not certain that some other plans might not be found better than the section just read. One reason he was in favor of prohibition was that the hands on the railroad would be apt to be drinking and carousing in the streets on Sunday.

Mr. Martin said that the petitions had the names of over three-fourths of the qualified voters of this city, who asked the council to prohibit the sale of spirituous liquors within the city of Hannibal. Mr. Gano had said that the population we should soon have among us, might be expected to drink and carouse on Sunday. That was also a reason with him for desiring the prohibition.

Mr. Settles said he was satisfied that all who had signed that petition had not done so with a view of total prohibition. He had conversed with numbers who stated they did not sign it with a view of prohibiting any but tippling shops. To prohibit the wholesaling would be an injury to trade. Persons frequently come from the country who want a barrel or more of liquor, and sugar, coffee, &c., general stock of groceries, tobacco, and other necessities. If they can't get it here they will go to St. Louis, where at the same time they will buy all they want, thus injuring our wholesale trade.

Mr. Roberts thought that to be against this section does not prove a man in favor of groceries. No man in the city visits grog shops less than himself. He would ask any citizen of Hannibal if he ever saw him in one of those houses, even to drink a glass of beer. If his constituents wanted to fill his place they could do so. He was ready to carry out their views, but they must come coolly. He had seen pret-

ty ladies, nice, respectable ladies, come to a man with a petition, and say "you must sign this;" it is not in the power of man to resist such appeals, for our Hannibal ladies are becoming celebrated for graces, intelligence, and a knack of controlling us poor sinners. After the ladies had left with the signature, he has heard the signer say he guessed it would not do any harm, and that he could not help signing it.

One man in town, since this petition has been circulated, has sent down to St. Louis and bought forty or fifty dollars worth of liquor. Some men need it. If a man is weak and debilitated, he cannot well go a long distance to hunt up a physician to obtain a certificate to get it from a drug store. He would ask Mr. Gano how long the workmen on the railroad would stay here if they could get no whisky?—not long. If they could get it by the barrel they would take it and go out with it to their shanties. One extreme begets another extreme. Out of revenge they would be apt to annoy us for what they are most likely to look upon as over strictness, and take delight in drunken revelries in our streets. Many will contend that we have no right to take away their right to sell. He wished the council and people to be cool, to stop and think, and be sure they were right. He knew that no man there could get back into the council unless he was a thorough teetotalist. He wished them all to be prepared for that. He was willing to say that the lowest amount should be ten gallons if they pleased, but thought there should be some specified quantity allowed.

Mr. Settles recognized the retail traffic as an evil that should be banished. He could see no objection to voting against selling less than a barrel, and he thought an ordinance should also provide against giving it away.

Mr. Roberts moved an amendment to the section under consideration, permitting sales of, say five, ten, fifteen or twenty gallons; not less than five gallons.

The amendment having been stated at five gallons, it was seconded, when

Mr. Gano moved to amend by making the amount named one barrel.

Mr. Roberts seconded Mr. Gano's amendment, and withdrew his own.

The section being thus amended, it was again read, when

Mr. Settles remarked that if they were allowed to sell by the barrel there would be some mighty small barrels. Besides, Brandy never comes in barrels. He thought the specification had better be by the gallon.

Mr. Westfall said the Council was in a ticklish situation. They all knew what they wanted; but the trouble was to frame a law that couldn't be slipped round. If the law as now before them were passed, it would stop no tippling houses. In its present state it would place all the liquor-selling in the hands of keepers of drug stores, and there would be more drug stores in town than there are churches, before the times of half the licenses were out. He was willing to go for anything, or do anything effective, but this would not answer the purpose. He would like to see an ordinance passed in proper shape so that it could be approved by a majority of the sovereigns, who want us to arrange the matter somehow.

(To be Continued.)

NEW LINE! NO. 2!!

OPEN YOUR EYES,
GRAMMARIANS,
TO THIS
COMPARISON!

W. M. R. DAVIS is still (not in fields, for fear of mud and slime and halting and limping and stumbling, but) up early and down late, on the streets, alleys, and lanes of Hannibal, Ready to make motions, To carry notions, Transport and import notions!

For the citizens of Hannibal, "the whole world and the rest of mankind!"

Remember there is but one No. 2:
One hundred per cent. better than No. 1!!
(apr-7-1853-w 3m)

Mules For Sale.

By the subscriber living in West Ely, 26 head of Mules, part of them broken to harness, of large size, three, four and five years old this spring; suitable for crossing the plains. (ap7w3c) JACOB ABEL.